

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 06-224)

In the Application of:)	
)	
Leslie Raymond Bates et al)	Examiner: D.J. Parsley
)	
Serial No. 10/574,999)	
)	Group Art Unit: 3643
Filed: April 7, 2006)	
)	
Title: Improvements in and Relating to Oil Well)	Conf. No. 3523
Perforators)	
)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

I. REFUND REQUEST

This is a request for refund, with respect to charges withdrawn from Deposit Account 13-2490, shown on the Deposit Account statement dated January, 2009 for the above-identified application. (See Appendix A)

II. FEES FOR WHICH REFUND REQUESTED

Excess claim fee charged on 1/16/09 in the amount of \$ 220.00

Excess claim fees charged on 1/16/09 in the amount of \$ 780.00

Total Refund Requested - \$1,000.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

- On January 16, 2009 the applicant filed a Preliminary Amendment in above-identified application that added additional claims to the application. Claims 1-28 were pending prior to the Preliminary Amendment. Claims 1-27 and 29-44 were pending following the Preliminary Amendment.
- The added claims required the payment of \$1,000.00 in excess claim fees.

- On January 21, 2009 the examiner issued a Non-Final Office Action in the above-identified application. The Non-Final Office Action was based upon filed claims 1-28. The examiner did not consider or evaluate the patentability of the claims presented by way of the January 16, 2009 Preliminary Amendment. Therefore, the January 16, 2009 Preliminary Amendment was not entered.
- The applicants therefore respectfully request a refund of the \$1,000.00 excess claim fees paid on January 16, 2009 in the above-identified application because the excess claim fees were for claims that the examiner did not enter or consider.

IV. MANNER OF REFUND

Please make refund by crediting Deposit Account No. 13-2490.

Date:

By /A. Blair Hughes/
A. Blair Hughes
Reg. No. 32,901
312-913-2123

APPENDIX A



**United States
Patent and
Trademark Office**



Deposit Account Statement

Requested Statement Month: January 2009
Deposit Account Number: 132490
Name: MCDONNELL BOEHNNEN HULBERT & BERGHOFF, LTD.
Attention: ACCOUNTS PAYABLE
Street Address 1: 300 SOUTH WACKER DRIVE
Street Address 2: SEVENTH FLOOR
City: CHICAGO
State: IL
Zip: 60606
Country: UNITED STATES

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
01/02	43	10492112	04-287	1253	\$1,110.00	\$62,335.00
01/02	44	10492112	04-287	1801	\$810.00	\$61,525.00
01/02	181	12347429	08-1740	4011	\$82.00	\$61,443.00
01/02	182	12347429	08-1740	2111	\$270.00	\$61,173.00
01/02	183	12347429	08-1740	2311	\$110.00	\$61,063.00
01/02	797	12347429	08-1740	8021	\$40.00	\$61,023.00
01/02	1	10304218	02-704	1251	\$130.00	\$60,893.00
01/02	2	10304218	02-704	1401	\$540.00	\$60,353.00
01/02	3259	10302336	H0003682	1251	\$130.00	\$60,223.00
01/02	3260	10302336	H0003682	1402	\$540.00	\$59,683.00
01/02	7848	5654991	CONEXANT PORTFOLIO	8021	\$3,960.00	\$55,723.00
01/02	7983	5828692	CONEXANT PORTFOLIO 2	8021	\$2,000.00	\$53,723.00
01/02	8042	5721756	CONEXANT PORTFOLIO 3	8021	\$240.00	\$53,483.00
01/02	8348	08506977	CONEXANT PORTFOLIO 4	8021	\$3,960.00	\$49,523.00
01/05	2491	11417512	03-1075-Z1	1801	\$810.00	\$48,713.00
01/05	2492	11417512	03-1075-Z1	1814	\$140.00	\$48,573.00
01/05	2737	11415872	02-781-Z	1801	\$810.00	\$47,763.00
01/05	2823	10348134	02-781	1801	\$810.00	\$46,953.00
01/05	2988	10466162	EX02-001C-US	1253	\$1,110.00	\$45,843.00
01/05	1	11296553	H0008322-5809US (HON0023/	1202	\$156.00	\$45,687.00
01/05	7058	11415377	08-559-CON	2251	\$65.00	\$45,622.00
01/05	8139	09760119	MBHB01-034	1252	\$490.00	\$45,132.00
01/05	8854	10693051	050337-1380 (04CXT0054WL)	1251	\$130.00	\$45,002.00
01/05	8855	10693051	050337-1380 (04CXT0054WL)	1801	\$810.00	\$44,192.00
01/06	673	10872617	04-514	1801	\$810.00	\$43,382.00
01/06	1175	60922771		8021	\$40.00	\$43,342.00
01/06	1224	60876932	05-1029-A	8021	\$40.00	\$43,302.00
01/06	1490	11415861	04-514-Z	1801	\$810.00	\$42,492.00
01/06	1491	11415861	04-514-Z	1814	\$140.00	\$42,352.00
01/06	2921	11352837	05-143-B	2251	\$65.00	\$42,287.00
01/06	4670	10528924	05-233	1501	\$1,510.00	\$40,777.00
01/06	4671	10528924	05-233	1504	\$300.00	\$40,477.00

01/15	11662	2222248	96.2066	7205	\$100.00	\$68,369.00
01/15	11663	2222248	96.2066	7201	\$400.00	\$67,969.00
01/15	12864	11995658	07-1276	8021	\$40.00	\$67,929.00
01/15	13694	12275425	08-1611	1051	\$130.00	\$67,799.00
01/16	2	11437203	06-061	1201	\$220.00	\$67,579.00
01/16	3	11437203	06-061	1202	\$520.00	\$67,059.00
01/16	1223	12275425	08-1611	8021	\$40.00	\$67,019.00
01/16	1541	12354311	H0021311-5548	1011	\$330.00	\$66,689.00
01/16	1542	12354311	H0021311-5548	1111	\$540.00	\$66,149.00
01/16	1543	12354311	H0021311-5548	1311	\$220.00	\$65,929.00
01/16	2446	11381215	05-188-E	2501	\$755.00	\$65,174.00
01/16	2448	11381215	05-188-E	1504	\$300.00	\$64,874.00
01/16	2525	12354311	H0021311-5548	8021	\$40.00	\$64,834.00
01/16	2706	10994851	07-1104	1801	\$810.00	\$64,024.00
01/16	2816	12354410	07-1104-US-CON	1011	\$330.00	\$63,694.00
01/16	2819	12354410	07-1104-US-CON	1202	\$156.00	\$63,538.00
01/16	2817	12354410	07-1104-US-CON	1111	\$540.00	\$62,998.00
01/16	2818	12354410	07-1104-US-CON	1311	\$220.00	\$62,778.00
01/16	2994	61141197	08-1718	1807	\$50.00	\$62,728.00
01/16	3187	11095101	05-277	1801	\$810.00	\$61,918.00
01/16	5433	11415381	05-277-Z	1801	\$810.00	\$61,108.00
01/16	5963	61144995	08-030-PR3	1005	\$220.00	\$60,888.00
01/16	5965	61144995	08-030-PR3	1085	\$270.00	\$60,618.00
01/16	7492	12354603		1011	\$330.00	\$60,288.00
01/16	7493	12354603		1111	\$540.00	\$59,748.00
01/16	7495	12354603		1311	\$220.00	\$59,528.00
01/16	7631	10913270	06-952-A (P.0145.02.US)	2251	\$65.00	\$59,463.00
01/16	7632	10913270	06-952-A (P.0145.02.US)	2801	\$405.00	\$59,058.00
01/16	7691	12374038		1631	\$330.00	\$58,728.00
01/16	7693	12374038		1633	\$220.00	\$58,508.00
01/16	7694	12374038		1615	\$520.00	\$57,988.00
01/16	7692	12374038		1642	\$430.00	\$57,558.00
01/16	8741	10652377	03-840	1806	\$180.00	\$57,378.00
01/16	8742	10652377	03-840	1814	\$140.00	\$57,238.00
01/16	9316	11202475	07-278-D	1401	\$540.00	\$56,698.00
01/16	9586	11415401	03-840-Z	1806	\$180.00	\$56,518.00
01/16	9838	77167975	06-1010	7004	\$150.00	\$56,368.00
01/16	10552	60986138	CASE NO. 07-1117	8007	\$40.00	\$56,328.00
01/16	49	11857414	00-1312-S1	4011	-\$75.00	\$56,403.00
01/16	50	11857414	00-1312-S1	2111	-\$255.00	\$56,658.00
01/16	51	11857414	00-1312-S1	2311	-\$105.00	\$56,763.00
01/16	52	11857414	00-1312-S1	2202	-\$50.00	\$56,813.00
01/16	53	11857414	00-1312-S1	2201	-\$210.00	\$57,023.00
01/16	54	11857414	00-1312-S1	2051	-\$65.00	\$57,088.00
01/16	55	11857414	00-1312-S1	2253	-\$525.00	\$57,613.00
01/16	59	11857414	00-1312-S1	1201	\$165.00	\$57,448.00
01/16	61	11857414	00-1312-S1	1202	\$100.00	\$57,348.00
01/16	63	11857414	00-1312-S1	1254	\$1,640.00	\$55,708.00
01/16	62	11857414	00-1312-S1	1051	\$130.00	\$55,578.00
01/16	64	11857414	00-1312-S1	2202	-\$25.00	\$55,603.00
01/16	65	11857414	00-1312-S1	1202	\$50.00	\$55,553.00
01/16	14449	10574999	06-224	1615	\$780.00	\$54,773.00
01/16	14450	10574999	06-224	1614	\$220.00	\$54,553.00
01/16	14560	12342357	UOP27716	1051	\$130.00	\$54,423.00